

AF *[Signature]*

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: MAIL STOP AF, COMMISSIONER OF PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON THE DATE INDICATED BELOW.

BY: *[Signature]*

DATE: June 17, 2005

**PATENT**  
**MAIL STOP AF**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re:	Patent Application of Bruno Giannetti, et al.	: Group Art Unit: 3732 : : :
Appln. No.:	10/061,655	: Examiner: Eduardo Robert : :
Filed:	February 1, 2002	: Attorney Docket : :
For:	Kit for Chondrocyte Cell Transplantation	: No. 054756-5003

**NOTICE OF APPEAL FROM PRIMARY EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Examiner's Decision in the Office Action dated December 17, 2004, regarding claims 17-24 of the present application.

The item(s) checked below are appropriate:

- ☒ A Petition for Extension of Time with extension fee for three (3) months up to and including June 17, 2005, to file this Notice of Appeal, with authorization to charge the appropriate extension fee, is enclosed. A Response to the final Office Action is being filed concurrently herewith.
- ☐ A Petition for Extension of Time for \_\_\_ month(s) to file the Notice of Appeal and our check in the amount of \$ \_\_\_ for the extension fee are enclosed.
- ☒ Please charge our firm's deposit account 50-0310 (**Billing No. 054756-5003**) for the amount indicated below for filing this Notice of Appeal:
- ☐ \$250.00 -- a Small Entity Declaration has been filed previously in this case.
- ☒ \$500.00 -- no Small Entity Declaration is appropriate.
- ☐ Not required (fee paid in prior appeal).

☐ An oral hearing before the Board of Appeals is respectfully requested.

☐ Our firm's check in the amount indicated below is enclosed for this request for an oral hearing.

☐ \$150.00 - a Small Entity Declaration has been filed previously in this case.

☐ \$300.00 - no Small Entity Declaration is appropriate.

☒ Any additional required fees or any overpayments may be charged or credited to Deposit Account No. 50-0310 (Billing No. **054756-5003**). One additional copy of this Notice is enclosed for accounting purposes.

Respectfully submitted,

BRUNO GIANNETTI, et al.

June 17, 2005  
(Date)

By: 

**GAIL H. GRIFFIN**

Registration No. 51,941

**MORGAN, LEWIS & BOCKIUS, L.L.P.**

1701 Market Street

Philadelphia, PA 19103

Telephone No.: 215-963-5000

**Direct Telephone: 215-963-5265**

Facsimile: 215-963-5001

E-Mail: ggriffin@morganlewis.com

GHG

Enclosures: Petition for three-month extension of time  
Response to Office Action